IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 23313 OF 2005

Date: 31.10.2005

BETWEEN:

M. Mahipal Reddy

.... PETITIONER

And

1. The Municipal Council, Vikarabad Municipality, rep. by its Commissioner, Vikarabad, Ranga Reddy District.

.... RESPONDENTS

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No. 23313 OF 2005

ORDER:

In pursuance of the tender notice dated 29.7.2005, issued by the Vikarabad Municipality for various works, the petitioner submitted his tenders for the packages 1 and 2, before the scheduled time. It is alleged that when the fourth respondent submitted tenders beyond the time, the same were accepted illegally. Subsequently, it appears, the second respondent recommended the name of the fourth respondent for awarding of contract. This writ petition is filed challenging the action of the respondents 1 and 2 in proposing to award the contract to the fourth respondent.

When the matter was heard on 28.10.2005, it was brought to the notice of this Court by the learned Standing Counsel for Municipalities that the Municipal Council decided to cancel the tenders and to invite fresh tenders under Section 43 of the Andhra Pradesh Municipalities Act, 1965. Therefore, the matter was adjourned, to enable the learned

Standing Counsel to produce necessary documents before this Court.

Today, the learned Standing Counsel placed before this Court the resolution passed by the Municipal Council, Vikarabad on 27.10.2005 cancelling all the tenders invited, vide tender notice dated 29.7.2005. In that view of the matter, the cause of action does not survive and liberty is reserved for the petitioner to challenge, if necessary, as and when fresh tenders are invited.

The Writ Petition is accordingly dismissed at the admission stage.

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(**V.V.S. RAO, J.)**

31st October, 2005

Note: Issue C.C. by day after tomorrow

(By order) / Js.